

In the event any issues remain, the Examiner is encouraged to contact Applicants' representatives to resolve such issues in an expeditious manner, and place the application in condition for allowance.

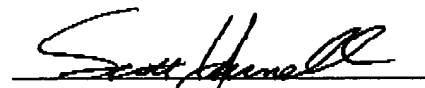
In the event any fees are incurred upon the filing of these documents, please charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

Date: September 27, 2002

By:


Stanislaus Aksman
Registration No. 28,562
Scott F. Yarnell
Registration No. 45,245

1900 K Street, N.W., Suite 1200
Washington, D.C. 20006-1109
Ph. (202) 955-1500
Fax (202) 778-2201

APPENDIX

1. (Four Times Amended) A set of promoter sequences suitable for optimizing the expression of a gene in a selected organism or group of organisms, said set of promoter sequences covering a range of promoter activities for said gene in small steps each step changing the activity by 50-100%, each promoter sequence of said set of promoter sequences comprising a double stranded DNA sequence, the sense strands of which comprise

at least two consensus sequences, said at least two consensus sequences corresponding to conserved sequences identified in said organism or group of organisms, at least half of each of said consensus sequences being kept constant in the set of promoter sequences, the at least two consensus sequences, when the selected organism or group of organisms is prokaryotic, being selected from the group consisting of TATAAT, [and] TTGACA and an activator binding site upstream of the TATAAT sequence, when the selected organism or group of organisms is eukaryotic, being selected from the group consisting of a TATA-box and a UAS upstream of said TATA-box and, between said consensus sequences or flanking at least one of said consensus sequences, at least one nucleotide spacer sequence, at least part of which, relative to the corresponding spacer sequence of the identified promoter, is varied by random incorporation of nucleotides that are selected from the group consisting of the nucleobases A, T, C and G.